

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RAYMOND NORMENT,	:	CIVIL ACTION
	:	NO. 06-3200
Petitioner,	:	
	:	
v.	:	
	:	
MR. BLACKMON, et al.,	:	
	:	
Respondents.	:	

**O R D E R**

**AND NOW**, this **7th** day of **May 2007**, after consideration of the Report and Recommendation of United States Magistrate Judge M. FAITH ANGELL (doc. no. 11), it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED and ADOPTED**;<sup>1</sup>
2. The Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2254 is **DENIED and DISMISSED** without an evidentiary hearing;<sup>2</sup> and
3. There is no probable cause to issue a certificate of appealability.

**AND IT IS SO ORDERED.**\_\_\_\_\_

\_\_\_\_\_  
**S/Eduardo C. Robreno**  
**EDUARDO C. ROBRENO, J.**

<sup>1</sup> The petitioner did not file objections to the Report and Recommendation.

<sup>2</sup> In his petition, Mr. Norment challenges the decision of the Court of Common Pleas of Philadelphia County to order Mr. Norment to serve the remainder of the time he was sentenced, but did not serve, for a 1996 indecent assault conviction. This sentence was imposed after Mr. Norment repeatedly violated the terms of his probation and parole. As fully explained in the Report and Recommendation, because Mr. Norment failed to raise his claims when he appealed the violation of parole sentence to the Pennsylvania Superior Court, he has not exhausted his state court remedies. Any attempt to raise them in the state court system now would prove untimely. As such, his claims are procedurally defaulted. The record reflects no cause and prejudice, or miscarriage of justice that would excuse this procedural default. The petition, therefore, must be dismissed.